

REMARKS

Claims 9, 11, 13 to 15, 17, and 19 to 30 are pending in the present application.

In view of the following remarks, it is respectfully submitted that the pending claims are allowable, and reconsideration is respectfully requested.

Claims 9 to 11, 13 to 19, 22 to 25, 27, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Background Information (characterized by the Office as “Applicant’s Admitted Prior Art” (“AAPA”) in the Final Office Action) in view of U.S. Patent No. 3,844,029 to Dibugnara et al. (“Dibugnara”).

To reject a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a *prima facie* case of obviousness. *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish *prima facie* obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Also, as clearly indicated by the Supreme Court in *KSR*, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. *See KSR Int’l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007). In this regard, the Supreme Court further noted that “rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, at 1396. Second, there must be a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

While the rejections may not be agreed with, to facilitate matters, independent claims 9 has been rewritten to better clarify the claim.

In particular, claim 9, as presented, provides for *a nickel layered wire contact attached to the diode chip at a temperature greater than a silver-solder alloy melting point to form a second terminal of the press-fit diode, wherein only a section of the nickel layered wire contact remaining unexposed to solder during manufacturing of the press-fit diode is*

plated with silver. Independent claim 13 has also been rewritten to provide the feature of immersing the wire shaft of the wire contact in an electroplating vat to silver plate only a section of the nickel layered wire shaft remaining unexposed to solder during manufacturing of the press-fit diode. It is respectfully submitted that neither reference discloses or suggests these features of the claimed subject matter.

Paragraph [13] of the specification states that completely silver-plating the wire contact is usually disadvantageous since the silver forms an alloy with the solder used to solder the diode chip that has a melting point too low for further processing of the press-fit diode, such as the sheathing with plastic. The Dibugnara reference (at 11:50-60) refers, however, to the use of a silver alloy preform to braze the semiconductor die 16 to the silver layered slugs, when the temperature reaches the 650° C to 800° C sealing range to melt the silver alloy.

Thus, even if Dibugnara may refer to using a silver alloy perform to attach the semiconductor die 16 to the silver layered slugs 12, it expressly requires brazing or soldering a section of the silver plated slug 12 to the semiconductor die 16 using the silver soldering or brazing alloy. Thus, this reference does not disclose the feature in which “only a section of the nickel layered wire contact remaining unexposed to solder during manufacturing of the press-fit diode is plated with silver” as in claim 9, and “immersing the wire shaft of the wire contact in an electroplating vat to silver plate only a section of the nickel layered wire shaft remaining unexposed to solder during manufacturing of the press-fit diode” as in claim 13.

Indeed, neither of the cited references (or the Background Information of the specification) disclose or suggest only silver plating a section of the nickel layered wire contact remaining unexposed to solder during manufacturing of the press-fit diode as in claim 9, or immersing the wire shaft of the wire contact in an electroplating vat to silver plate only a section of the nickel layered wire shaft remaining unexposed to solder during manufacturing of the press-fit diode as in claim 13.

Since neither reference discloses these features of the claimed subject matter, claims 9 and 13 are allowable, as are their respective dependent claims 10, 11, 14 to 19, 22 to 25, 27, and 28.

Claims 21, 26, 29, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Background Information (characterized by the Office as “Applicant’s Admitted Prior Art” (“AAPA”) in the Final Office Action) in view of Dibugnara, and further in view of U.S. Patent No. 7,361,257 to Wang et al. (“Wang”).

Claims 21, 26, 29, and 30 ultimately depend from claim 9, as presented, and they are therefore allowable for at least the same reasons as claim 9 because the secondary Wang reference does not cure – and is not asserted to cure – the critical deficiencies of the primary AAPA and Dibugnara references, as discussed above.

As further regards all of the obviousness rejections, to the extent, if any, that Examiner relies on any Official Notice, the Official Notice is respectfully traversed and it is requested that the Examiner provide specific evidence to establish those assertions and/or contentions that may be supported by the Official Notices under 37 C.F.R. § 1.104(d)(2) or otherwise. In particular, it is respectfully requested that the Examiner provide an affidavit and/or that the Examiner provide published information concerning these assertions. This is because the § 103 rejections are apparently being based on assertions that draw on facts within the personal knowledge of the Examiner, since no support was provided for these otherwise conclusory and unsupported assertions. (*See also* MPEP § 2144.03).

Withdrawal of all the obviousness rejections is therefore respectfully requested.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the pending and considered claims are allowable. It is therefore respectfully requested that the rejections and objections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

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Respectfully submitted,

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